Dekelbaum, Shachar and Sonesh and further in view of U.S. Patent No. 5,657,383 to Gerber. Claims 9-17, 28-36 and 46-55 have been rejected under 35 U.S.C. §103(a) as being obvious over Dekelbaum, Shachar and Sonesh and further in view of U.S. Patent No. 5,884,032 to Bateman et al. After a careful review of the claims (as amended), it is believed that the rejections are in error and, consequently, the rejections are traversed.

2.   Claims 1-5, 8, 18-24, 27, 37-42 and 45 have been rejected as being anticipated by Dekelbaum in view of Sonesh and Shachar. The Examiner admits that

> Dekelbaum does not show the steps of determining an overall type of question associated with each audio icon; detecting an activation of an audio access icon of plurality of icons; selecting an agent with a best relative ability to answer the determined type of question based upon a skill list for the agent group and establishing a voice path using IP telephony between the Internet voice plug-ins of user and an agent of the associated agent group based upon activation of a audio-access icon by the user".

However, the Examiner goes on to assert that

> "Sonesh discloses the steps of determining an overall type of question associated with each audio icon; detecting an activation of an audio access icon of plurality of icons; selecting an agent with a best relative ability to answer the determined type of question based upon a skill list for the agent group (col 5, lines 44-50 discloses a routing algorithms is installed at ACD for determining a message from a user as based call identity "read on click on button and identifying the message such agent group, agent skills and establishing a IP telephony to the agent, See col 7, lines 7 wherein a caller 105 uses the Internet to access web server and initiating a IP telephony" and Shachar discloses a well known method of for establishing a voice path using

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IP telephony between the Internet voice plug-ins of user and an agent of the associated agent group based upon activation of an audio access icon by the user (Col 11, lines 24-35, click on Icon for establishing IP telephony by user Vocaltec software etc (Col 08, lines 35-41)".

It is noted first that the Examiner appears to be mistaken in his assertion that "Sonesh discloses the steps of determining an overall type of question associated with each audio icon". For example, Sonesh specifically states with regard to agent assignment that "The caller is further asked to select from the menu an area of interest. An agent of group of agents is selected based on caller identification and area of interest" (Sonesh: col. 7, line 65 to col. 8, line 1; col. 7, lines 21-22). Since the caller selects from a menu, there is no determination of a type of question. More specifically, since the caller selects from a menu, the caller selection obviates any need to determine a general subject matter of any question.

For example, under the invention, it is "The context of the help request" which "causes an ACD application of the original web site 22 to route the user to a particular agent 34, 38" (Specification, page 6, lines 17-19). The context, in turn, may be determined based upon the web page from which the help request originates. For example, "if the key 62 on the second screen 52 had been activated before selection of a destination, then the application 24 would know that the user has a question on flight destinations . . . if the user had clicked on the

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Service button 62 on the second screen 52 after entering

destination and after display of a ticket price, then the

application 24 would know that the user probably has a question

on ticket pricing . . . If the use had clicked on the Service

button 62 on the third screen 54, then the application 24 may

surmise that the user has a question on credit card use"

(Specification, page 9, lines 21-30).

The selection of an area of interest from a menu under

Sonesh is different than "determining an overall type of question

. . . from a context of prior interactions" under the claimed

invention for any number of reasons. For example, selection of

an area of interest by the Sonesh caller may not involve a

question at all and may simply involve a menu selection based

upon curiosity or out of a general interest in receiving more

information.

Further, the term "area of interest" is prospective in

nature. In contrast, the claimed invention is drawn to

determination of a question "from a prior interactions between

the Internet user and the web site". Since Sonesh is prospective

and the claimed invention retrospective, Sonesh clearly does not

teach of the method step (or apparatus for) " determining an

overall type of question associated with each audio-access icon

from a context of prior interactions between the Internet user

and the web site".

As may be best understood from the Examiner's comments, the Examiner appears to be asserting that Sonesh teaches (at col. 5, lines 44-50) of the use of routing algorithms which the Examiner apparently views as being analogous to those claimed under the invention. However, Sonesh explicitly states that its routing algorithms are "based upon caller identity, and/or agent skills and/or call priority" (Sonesh, col. 5, lines 45-46). Nowhere does Sonesh teach or suggest an algorithm based upon a context of an interaction or of "selecting an agent with a best relative ability to answer the determined type of question" determined "from a context of prior interactions between the Internet user and the web site".

A review of Shachar reveals that Shachar also fails to teach method steps of (or apparatus for) "determining an overall type of question . . . from a context of prior interactions" or "selecting an agent with a best relative ability to answer the determined type of question based upon a skills list for the agent group". Since the combination (of Dekelbaum, Sonesh and Shachar) fails, *inter alia*, to teach at least these claim elements, the combination fails to teach of each and every claim limitation as required by MPEP §2143.03. Since the combination fails to teach each and every claim limitation, the rejection is now improper and should be withdrawn.

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3.   Claims 6-7, 25-26 and 42-44 have been rejected as obvious over Dekelbaum, Shachar and Sonesh and further in view of Gerber. However, Gerber also fails to provide a teaching regarding "determining an overall type of question . . . from a context of prior interactions" or "selecting an agent with a best relative ability to answer the determined type of question based upon a skills list for the agent group". Since the combination fails, *inter alia*, to teach at least these claim elements, the combination fails to teach of each and every claim limitation as required by MPEP §2143.03. Since the combination fails to teach each and every claim limitation, the rejection is now improper and should be withdrawn.

4.   Claims 9-17, 28-36 and 46-55 have been rejected as being obvious over Dekelbaum, Shachar and Sonesh and further in view of Bateman. However, a review of Bateman reveals that Bateman also fails to teach "determining an overall type of question . . . from a context of prior interactions" or "selecting an agent with a best relative ability to answer the determined type of question based upon a skills list for the agent group". Since the combination fails, *inter alia*, to teach at least these claim elements, the combination fails to teach of each and every claim limitation as required by MPEP §2143.03. Since the combination fails to teach each and every claim
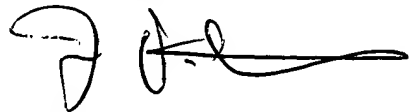
limitation, the rejection is now improper and should be withdrawn.

5.   For the foregoing reasons, allowance of claims 1-55 as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,

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